GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2448
ANSWERED ON:04.12.2007
LICENCING OF ARMS
Saradgi Shri Iqbal Ahmed

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the unregulated sale of arms has come under the Supreme Court`s scanner;

(b) if so, whether the SC has asked the Union Government and all State Governments to furnish its responses on the allegations that such licences are being issued without following proper guidelines;

(c) if so, whether the States and the Union Government have furnished their responses as required by the Supreme Court;

(d) if so, the details thereof;

(e) the directions issued by the Supreme Court in this regard to the Union Government and the State Governments on arms licences; and

(f) the steps taken/proposed to be taken to check such misuse of arms licences?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

(a) to (e): A Public Interest Litigation (PIL) bearing No. WP (Civil) No. 462 of 2007 has been filed in the Supreme Court. The Union of India and the Government of Rajasthan are the respondents in the Writ Petition. The Supreme Court has issued notice on 07.09.2007 to the respondents. The following main prayers have been made in the writ petition:-

(i) direct an enquiry by an independent agency like CBI to probe the issue involved in the present petition and take action against the concerned officials including army personnel involved in the Arms Licences scandal in the District of Sriganganagar, Rajasthan;

(ii) direct the Home Ministry, State of Rajasthan, to cancel forthwith all licenses, issued illegally to the applicants whose licences have been issued without due verification/ identification as provided under the Arms Act, 1959;

(iii) pass appropriate direction to the Union of India to strictly follow the provisions of Arms Act, 1959, and frame strict guidelines, to be followed by all the officials/licensing authority of all the State of the Country, whereby making it mandatory for issuance of licence, to be done by the Home Ministry after proper verification and mandatory requirement of the report from the concerned Police Station about the antecedents of the applicant of the particular State and not by the Collector, as provided under the Act;

(iv) direct the Ministry of Defence, Government of India to initiate appropriate action against the concerned Army personnel who have been named by the Collector in its preliminary report.

(f): The Arms Act, 1959 has the necessary provisions to penalize illegal sale of arms. The State Governments are competent to take appropriate action in case of violation of the provisions of the said Act.